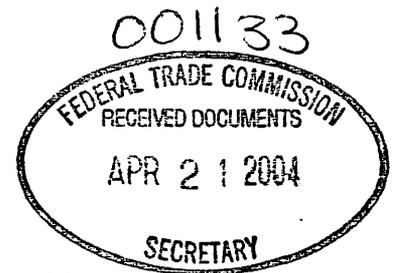


Re: CAN-SPAM Act Rulemaking, Project No. R411008



To the Commissioners,

I welcome and commend your action oriented approach to overcome the problem of unsolicited bulk email. However, I am concerned about the proposed requirement for merchants to maintain and manage suppression lists.

I feel I must encourage you to consider this matter extremely carefully, as there are so many potential problems and costs that will be associated with this idea, and so much damage done to both consumers and businesses.

Enforcement of the use of suppression lists will seriously damage many of the legitimate publications available on the World Wide Web. My specific concern is for the damage to publishers who require permission from the consumer prior to adding them to any list.

These consumers are not the audience, which CAN-SPAM was designed to put out of business, however this requirement will very likely have that effect.

Given the problem of correctly identifying or properly knowing consumers intent when they unsubscribe from a list, there is potential for this to cause significant harm to consumers. In addition to this issue, these suppression lists could easily fall into the hands of spammers themselves, which would lead to more spam instead of less spam spread throughout the Internet.

I urge you in the strongest possible terms to reconsider its implementation in light of these problems, as I was indeed surprised at the potential problems this ruling could involve.

Respectfully,

A handwritten signature in black ink, appearing to read "Jason R. Swan". The signature is fluid and extends to the right with a long horizontal stroke.

Jason R. Swan
Queensland, Australia